

38 / AF / 1636
10/22/02

DOCKET NO.: ISIS-3105

PATENT



RESPONSE UNDER 37 CFR
1.116 EXPEDITED
PROCEDURE EXAMINING
GROUP NO.: 1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Teng et al

Confirmation No.: 2703

Serial No.: 09/108,673

Group Art Unit: 1636

Filing Date: July 1, 1998

Examiner: W.O. Sandals

For: COMPOSITIONS AND METHODS FOR THE DELIVERY OF
OLIGONUCLEOTIDES VIA THE ALIMENTARY CANAL

TECH CENTER 1600/2900

OCT 21 2002

RECEIVED

DATE OF DEPOSIT: October 9, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME: Emma R Dailey
REGISTRATION NO.: 48,491

Box ☐ NON-FEE

☒ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

☐ A Preliminary Amendment.

☒ An Amendment Responsive to the Office Action Dated July 16, 2002.

- ☐ An Amendment Supplemental to the Paper filed _____.
- ☐ Other: _____.
- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages _____ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ _____ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: _____
_____ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☒ Appended Material as follows: Executed Declaration of Dr. Mark K. Wedel .
- ☒ Other Material as follows: Curriculum Vitae Mark K. Wedel, MD, JD, FACP, FCCP (Exhibit A); DAI (max score=12) (Exhibit B); CAI (max score=21) (Exhibit C);

2302-CS12 Median DAI Scores (0, Mo1, Mo3) by ISIS 2302 Enema Concentration (Exhibit D); 2302-CS12 Median Decrease in CAI (Months 1,2,3) by Enema Concentration (Exhibit E); 2302-CS12 Time to New UC Medication Use or Dropout (Exhibit F).

FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	37	42 (20 MINIMUM)	0	\$9 EACH	\$ 0.00	\$18 EACH	\$
INDEP. CLAIMS	4	4 (3 MINIMUM)	0	\$42 EACH	\$ 0.00	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$ 0.00	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$ 0.00	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$ 0.00	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$ 0.00	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$ 0.00	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$0.00	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0.00)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$ 0.00	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:					0.00		
TOTAL FEE DUE					\$0.00		\$

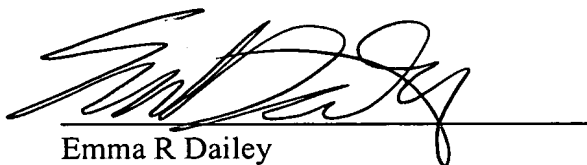
- ☐ A check is enclosed in the foregoing amount due.
- ☐ Petition is hereby made under 37 C.F.R. 1.136(a) (fees: 37 C.F.R. § 1.17(a)(1)-(4) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit

Account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: October 9, 2002



Emma R Dailey
Registration No. 48,491

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439